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Attorneys for Plaintiff  
**PRINCIPAL LIFE INSURANCE COMPANY**

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

PRINCIPAL LIFE INSURANCE  
COMPANY,

Plaintiff,

v.

VINA CUESTA STATUA, INOCENCIO S.  
AMBE, CORAZON AMBE CABALES,  
ESTELA D. REED, and DOES 1-10,

Defendants.

Case No. C07-04915 (CW)

**PLAINTIFF PRINCIPAL LIFE  
INSURANCE COMPANY’S REQUEST TO  
ENTER THE DEFAULT OF DEFENDANT  
CORAZON AMBE CABALES**

[F.R.C.P. 55(a)]

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION:**

Plaintiff PRINCIPAL LIFE INSURANCE COMPANY (“PRINCIPAL LIFE”) requests  
the Clerk of this Court enter the default of Defendant CORAZON AMBE CABALES  
(“CORAZON CABALES”) for her failure to plead or otherwise defend herself in a timely  
manner, as provided for by Rule 55(a) of the Federal Rules of Civil Procedure.

This request is based on the attached Declaration of Michael K. Brisbin, which shows the  
following:

1. On September 21, 2007 Plaintiff PRINCIPAL LIFE filed its Complaint in  
Interpleader and for Declaratory Relief against Defendants VINA CUESTA STATUA,

Plaintiff Principal Life’s Request to Enter the Default of Defendant Corazon Cabales  
Case No.: C07-04915 (CW)

319938.1

1 INOCENCIO S. AMBE, CORZAON AMBE CABALES, ESTELA D. REED, and DOES 1-10.  
2 A true and correct copy is attached to the Declaration of Michael Brisbin ("Brisbin  
3 Declaration") as **Exhibit A**.

4 2. All other required Court documents were also filed on September 21, 2007.

5 3. On October 4, 2007 Michael Brisbin, counsel for PRINCIPAL LIFE, caused to  
6 be served upon each of the Defendants listed in Paragraph 1, the Complaint, Notice of Lawsuit,  
7 Waiver of Service of Summons, Notice of Assignment, Summons, Notice of Deposit, Notice of  
8 Interested Parties, Clerk's receipt for interpled monies, and all other Court issued documents.  
9 The Proof of Service also filed on October 4, 2007 is attached to the Brisbin Declaration as  
10 **Exhibit B**. A letter also sent to Defendant CORAZON CABALES on October 4, 2007,  
11 regarding her obligations, is attached as **Exhibit B**.

12 4. After serving the documents listed in paragraph 4 on Defendant CORAZON  
13 CABALES, neither my office nor me has received any returned documents due to a wrong  
14 address, documents undeliverable, moved, does not reside here, or for any other reason.

15 5. PRINCIPAL LIFE used an address given to them by Defendant CORAZON  
16 CABALES as listed on her Beneficiary's Statement. Attached, to the Brisbin Declaration as  
17 **Exhibit C**, is a true and correct copy of the Beneficiary Statement provided by Defendant  
18 CORAZON CABALES listing her address as 14323 Merced Street, San Leandro, California;  
19 the address listed on the filed Proof of Service.

20 6. The Waiver of Service of Summons stated each defendant must file a responsive  
21 pleading within 60 days after the date of service of October 4, 2007.

22 7. The 60<sup>th</sup> day following completion of service was Monday, December 3, 2007.

23 8. Defendant CABALES did not return the waiver of service of summons, file a  
24 responsive pleading, or make an appearance on or before December 3, 2007.

25 9 As of January 11, 2008 Defendant CABALES has still failed to file a responsive  
26 pleading, seek an extension, request a dismissal, or make an appearance with the Court,  
27 indicating her intent to participate in this litigation.

28 ///

1           10.     Thus, Defendant CABALES has failed to plead or otherwise respond to Plaintiff  
2     PRINCIPAL LIFE'S Complaint filed on September 21, 2007.

3           11.     The applicable time limit for Defendant CORAZON CABALES to file a  
4     responsive pleading has expired.

5           12.     Defendant CORAZON CABALES is not an infant, as her date of birth is  
6     December 10, 1946 (*See Exhibit C*), she is not incompetent, and not in the military service.

7  
8     Date: January 11, 2008

WILSON, ELSER, MOSKOWITZ, EDELMAN &  
DICKER LLP

9  
10  
11     By: 

Adrienne C. Publicover

Michael K. Brisbin

Attorneys for Plaintiff

**PRINCIPAL LIFE INSURANCE COMPANY**

**PROOF OF SERVICE**

I am a citizen of the United States, I am over the age of eighteen years and am not a party to the within cause. I am employed in the City and County of San Francisco, California and my business address is 525 Market Street, 17<sup>th</sup> Floor, San Francisco, California 94105.

On this date I served the following document(s).

1. **PLAINTIFF PRINCIPAL LIFE INSURANCE COMPANY'S REQUEST TO ENTER THE DEFAULT OF DEFENDANT CORAZON AMBE CABALES; and**
2. **DECLARATION OF MICHAEL BRISBIN IN SUPPORT OF PLAINTIFF PRINCIPAL LIFE INSURANCE COMPANY'S REQUEST TO ENTER THE DEFAULT OF DEFENDANT CORAZON AMBE CABALES**

on the party(ies) identified below, and/or through their attorneys of record, by placing true copies thereof in sealed envelopes addressed as shown below by the following means of service:

**XX:** **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco, California, for collection to the office of the addressee following ordinary business practices.

Corazon Ambe Cabales  
14323 Merced Street  
San Leandro, CA 94579  
**Defendant**

Inocencio S. Ambe  
907 Paroba Street  
Santa Maria, Sta. Ana  
2022 Pampanga, Philippines  
**Defendant**

**XX:** Per order of the Court I caused service to be accomplished on all parties through **CM/ECF File and Serve** for the Northern District of California:

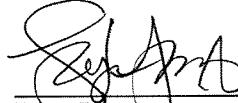
**Marc Joseph Cardinal** mjc@devrieslawgroup.com

**Montie S. Day** Oyad@aol.com

**Daniel J. De Vries** DJDV@DeVriesLawGroup.com, cbj@devrieslawgroup.com,  
jma@devrieslawgroup.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

EXECUTED **January 11, 2008**, at San Francisco, California.

  
\_\_\_\_\_  
Joya Yeung